

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**July 9, 2014**  
**14-07**

Present: Timothy J. Connors, Chairman  
Anthony B. Urban, Secretary  
Frederick H. Booth, Member  
Dennis H. Caza, Member  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Valerie King, Procedures Administrator  
Stephen Johnston, Supervisor-Gaming Operations  
Billie Jean Arseneault, Gaming/Licensing Supervisor  
Linda Glaser, Auditor  
Linda Darrow, Administrative Secretary

In Attendance: Dick Bouley, Nick Bonardi, Jan DiMarzio, Ed Callahan, Rick Newman, Representative Almy, Ryan Gloddy, Jamie Timbas, Mike McLaughlin, Susan Geiger, Dan Mullen, Shawn Flanagan, Phil Lulek and others.

The Chairman called the meeting to order at 10:00 a.m.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to approve and place on file the minutes dated June 25, 2014.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the Racing & Charitable Gaming statistics for the fiscal period of July 1, 2013 – June 29, 2014.

The Games of Chance/Bingo/Lucky 7 warning letters/late financials spreadsheets were reviewed. Deputy Director Naik noted all responses have been received. Discussion ensued relative to establishing a policy to address late financials. On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to establish the following policy: the first time financials are late, a warning will be issued; the second time financials are late, a hearing will be scheduled for that organization to appear before the Commission.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place the Games of Chance State and Charity revenue spreadsheets on file.

Action Items

- a. ***The updated draft guidelines for the Electronic Poker/Blackjack Pilot Program were reviewed.*** The following additions/changes were made:
  - Section II, item 4 – discussion ensued on which option would work best for the pilot program. On a motion by Commissioner Booth, seconded by Commissioner Urban, with Commissioners Connors, Presby, and Caza voting in the affirmative and Commissioner Gatsas abstaining, option 2 was adopted.

- Section III – discussion ensued relative to adding the words “the Commission may amend the program as it sees fit”. On a motion by Commissioner Presby, seconded by Commissioner Urban and unanimously voted to include this line in Section III.
- Section II, item 6 – wording clarified regarding staff initial review of electronic devices.
- Section II, item 13 – discussion ensued relative to adding the words “no provisions of these guidelines will be in conflict with local, state or federal regulations and rules”. On a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to include this line in Section II, item 13.

On a motion by Commissioner Caza, seconded by Commissioner Booth, with Commissioners Connors, Presby and Urban voting in the affirmative and Commissioner Gatsas abstaining, the Electronic Poker/Blackjack Pilot Program Guidelines were approved as amended.

Representative Almy expressed concerns over moving forward with the pilot programs.

Director Kelley noted that there currently are certain types of electronic Lucky 7 devices now in use in the state. There are rules addressing their use as well as the type of tickets that are allowed/approved. Commissioner Presby spent time over the last year chairing workshops with the industry to discuss rules.

b. ***The updated draft guidelines for the Electronic Lucky 7 Pilot Program were reviewed.*** The following additions/changes were made:

- Section II, item 4 – discussion ensued on which option would work best for the pilot program. Attorney Geiger, representing Technology Exclusive, expressed concern with the words “industry standards” in Option 2. Going through the process of GLI-14 testing is time consuming and expensive. Allowing the participants in the pilot program to submit review and analysis letters from independent testing labs stating their machines comply with state laws as they exist currently would be more helpful. Discussion ensued on the words “industry standards”. On a motion by Commissioner Booth, seconded by Commissioner Presby, with Commissioners Connors and Caza voting in the affirmative and Commissioners Urban and Gatsas opposed, Option 2 was adopted with a 4-2 vote.

Attorney Geiger asked that a letter from the Commission be sent to pilot program participants indicating that their machines have been approved to participate in the pilot program.

- Section III – this section will be updated with the words “the Commission may amend the program as it sees fit”.
- Section II, item 13 – discussion ensued relative to adding the words “no provisions of these guidelines will be in conflict with local, state or federal regulations and rules”. On a motion by Commissioner Gatsas, seconded by Commissioner Presby and unanimously voted to include this line in Section II, item 13.
- Further discussion ensued regarding “industry standards”. Attorney McLaughlin noted that all existing machines now in the state meet industry standards.

At 10:55 a.m., a recess was called.

The Chairman called the meeting back to order at 11:03 a.m.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to reconsider the previous motion adopting Option 2 of Section II, Item 4 of the Electronic Lucky 7 Pilot Program Guidelines. On a motion by Commissioner Booth, seconded by Commissioner Caza, with Commissioners Connors, Presby and Urban voting in the affirmative and Commissioner Gatsas abstaining, the wording of Option 2 was changed to read “Participants shall attest that each electronic device used in the pilot program is tested to ensure that it complies with all state laws” and approved as changed.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to reconsider the previous motion adopting Option 2 of Section II, Item 4 of the Electronic Poker/Blackjack Pilot Program Guidelines. On a motion by Commissioner Booth, seconded by Commissioner Caza, with Commissioners Connors, Presby and Urban voting in the affirmative and Commissioner Gatsas abstaining, the wording of Option 2 was changed to read “Participants shall attest that each electronic device used in the pilot program is tested to ensure that it complies with all state laws” and approved as changed.

Discussion ensued relative to the start date of the pilot programs. The start date and end date will be announced at the August 12<sup>th</sup> meeting. September 1 is the tentative start date.

Attorney McLaughlin, representing Concord Bingo Too, asked what would happen to the charity if one of the machines they are using becomes de-certified?

On a motion by Commissioner Booth, seconded by Commissioner Caza, with Commissioners Connors, Presby and Urban voting in the affirmative and Commissioner Gatsas abstaining, to add to Section II, in both guidelines (Lucky 7 and Poker/Blackjack) a section requiring documentation be submitted to the Commission by the vendors listing all their devices, the location of these devices and the dates these devices are put in place, upon implementation of the pilot programs.

Discussion ensued relative to the Lucky 7 tickets and requirements that must be met for approval. Any waivers that are requested must be submitted to the Commission in writing. Director Kelley handed out copies of Chapter Pari 502.02 – Waiver of Rules.

Tabled Items:

- a. Moratorium on submission of new games – on a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to take the item off the table. On a motion by Commissioner Gatsas, seconded by Commissioner Booth and unanimously voted to lift the moratorium on submission of new games.

Correspondence:

None.

Old Business:

None.

New Business:

None.

Mr. Newman provided a brief overview of what constitutes classification of games. Classes are determined by the level of regulations for each game.

There being no questions or comments from the audience, at 11:25 a.m., on a motion by Commissioner Gatsas, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to adjourn the regular meeting:

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

The next meeting is scheduled for Tuesday August 12, 2014 at 10:00 a.m. in conference room 100 at the Walker Building.

The Chairman closed the public meeting at 11:30 a.m.

Respectfully Submitted,

Anthony B. Urban  
Secretary